

JC

07/27/2004 12:16 PM

JCWS/CS 28 JUL 2004

Law offices of Alan Cannon 4087363564

1/2

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this paper or fee is being sent by facsimile transmission to (703) 306-5995 at the United States Patent and Trademark Office on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450			
Typed or Printed Name	Maria Sousa		
Signature	<i>Maria Sousa</i>	Date	July 27, 2004

**FACSIMILE TRANSMITTAL  
LAW OFFICE OF ALAN W. CANNON**

834 South Wolfe Road  
Sunnyvale, California 94086  
Telephone (408) 736-3554  
Facsimile (408) 736-3564

Date: July 27, 2004

To: United States Patent & Trademark Office

Facsimile No.: (703) 746-9195

From: Alan W. Cannon, Reg. No. 34,977  
LAW OFFICE OF ALAN W. CANNON

Re: U.S. Patent Application Serial No. 10/670,152  
Filing Date: September 24, 2003  
Title: Xyphoid Access for Surgical Procedures  
Inventor: Federico J. Benetti  
Atty. Docket No.: GUD-008CON2

**Message:**

The domestic priority data as claimed by applicant reads: "This Application is a CON of 09/757,128 01/08/2001 ABN" but should read -- This Application is a CON of 09/757,128 01/08/2001, Pending --

Please issue a corrected Updated Filing Receipt to make the above changes. Attached please find the following document:

1. A marked up copy of the Updated Filing Receipt showing the requested corrections circled.

Although it is believed that no fee is due in this action since the error was the fault of the Patent Office, if for any reason a fee is found to be necessary, the Commissioner is authorized to Charge such fee to Deposit Account No. 50-2653, order No. GUD-008CON2

Please call Maria Sousa at (408) 736-3554 if there are any problems with this transmission.

Thank You!

Total number of pages, including this cover sheet: 3

**WARNING:** This facsimile message and accompanying documents are intended only for the use of the addressee indicated above. Information that is privileged or otherwise confidential may be contained therein. If you are not the intended recipient, you are hereby notified that any dissemination, copying, review or use of the above message or the accompanying documents is strictly prohibited. If you have received this message in error, please notify us immediately by telephone or facsimile, and mail the original to us at the above address. Thank you.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY/DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/670,152	09/24/2003	3738	900	GUID-008CON2	7	12	2

## CONFIRMATION NO. 2852

36154  
LAW OFFICE OF ALAN W. CANNON  
834 SOUTH WOLFE ROAD  
SUNNYVALE, CA 94086

## UPDATED FILING RECEIPT



\*OC000000012357423\*

Date Mailed: 04/14/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Federico J. Benetti, Rosario, ARGENTINA;  
Charles S. Taylor, San Francisco, CA;  
Michael V. Morejohn, San Jose, CA;

## Domestic Priority data as claimed by applicant

This application is a CON of 09/757,128 01/08/2001 ABN *Pending*  
which is a CIP of 09/071,757 05/01/1998 PAT 6,199,556

## Foreign Applications

If Required, Foreign Filing License Granted: 12/16/2003

Projected Publication Date: 07/22/2004

Non-Publication Request: No

Early Publication Request: No

## Title

Xyphoid access for surgical procedures